

RO-OK-01230 : FY2016 : Hughes Tank Battery
dba : New Dominion, LLC
SPCC-OK-2016- 00039 (SPCC dated 01/05/2016)
ESA : \$2,925.00
NRC#: n/a

dominion, LLC
06039

ESHA 2928
Spec / ESHA / New
Batts & Don 11/8/2016
NOPB 11/9/2016
New Dominion Tank Battery
11/9/2016
11/8/2016



100013052



NEW DOMINION, LLC

A Natural Resource Producer

TOM CHERNICKY
EH&S Representative

~~9300 S 3300 Road~~

~~Littleton CO 80120~~

tom.chernicky@newdominion.net

405-277-3304 PHONE

405-249-2150 MOBILE

405-277-3304 FAX

1000' W to Horse Throat Canyon Creek →
N to Cimarron River

ENVIRONMENTAL FILING FORM

CIRCLE ONE

NEW FILE

OR

INFILING

OIL POLLUTION ACT – ENFORCEMENT DOCKETS

SITE NAME

New Dominion, LLC / Hughes Tank Battery

SITE ADDRESS

Off County Road 75, Logan County, OK 73027

INSPECTOR

Tom McKay

FACILITY ID/DOCKET
NUMBER

OK-01236/ CWA-06-2016-4311

RESPONSIBLE PARTY

Tom McKay
Chris Perry (6SF-EO)

(Person bringing this material to the Records Center)

TELEPHONE NUMBER

5-6702

SPECIAL INSTRUCTIONS

FY-2016 / Insp # SPCC-OK-2016-00039

FACILITY INFORMATIONFACILITY NAME: *Hushes Tank Battery*LATITUDE: *35.92890*LONGITUDE: *-97.15694*

GPS DATUM:

Section/Township/Range: *S024.17N.1E*FRS#/OIL DATABASE ID: *R6-OK-01236*

ICIS#:

ADDRESS: *off CR 75*CITY: *Perkins*STATE: *OK*ZIP: *79059*COUNTY: *Logan*

MAILING ADDRESS (IF DIFFERENT FROM FACILITY ADDRESS - IF NOT, PRINT "SAME"):

*P.O. Box 528*CITY: *Prague*STATE: *OK*ZIP: *74864*COUNTY: *Lincoln*TELEPHONE: *405-299-2150*FACILITY CONTACT NAME/TITLE: *Tom Chernick - Elmer*OWNER NAME: *New Dominion, LLC*OWNER ADDRESS: *P.O. Box 528*CITY: *Prague*STATE: *OK*ZIP: *74864*COUNTY: *Lincoln*TELEPHONE: *405-299-2150*FAX: *N/A*EMAIL: *tom.chernick@newdominion.net*

FACILITY OPERATOR NAME (IF DIFFERENT FROM OWNER - IF NOT, PRINT "SAME"):

SAME

OPERATOR ADDRESS:

CITY:

STATE:

ZIP:

COUNTY:

TELEPHONE:

OPERATOR CONTACT NAME/TITLE:

FACILITY TYPE: *Onshore oil production*NAICS CODE: *2111*HOURS PER DAY FACILITY ATTENDED: *Daily*TOTAL FACILITY CAPACITY: *~110,880 gallons*TYPE(S) OF OIL STORED: *crude oil; condensate*LOCATED IN INDIAN COUNTRY? ☐ YES ☒ NO RESERVATION NAME:**INSPECTION/PLAN REVIEW INFORMATION**PLAN REVIEW DATE: *1/5/16*REVIEWER NAME: *Tom McKay*INSPECTION DATE: *1/5/16*TIME: *11:00 AM*ACTIVITY ID NO: *SPCC-012-2016-00039*LEAD INSPECTOR: *Tom McKay*

OTHER INSPECTOR(S):

INSPECTOR ACKNOWLEDGMENT

I performed an SPCC inspection at the facility specified above.

INSPECTOR SIGNATURE: *Tom McKay*DATE: *1/16/2016*

SUPERVISOR REVIEW/SIGNATURE:

DATE:

SPCC GENERAL APPLICABILITY—40 CFR 112.1

IS THE FACILITY REGULATED UNDER 40 CFR part 112?

The completely buried oil storage capacity is over 42,000 U.S. gallons, OR the aggregate aboveground oil storage capacity is over 1,320 U.S. gallons AND

The facility is a non-transportation-related facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location could reasonably be expected to discharge oil into or upon the navigable waters of the United States

☐ Yes ☐ No☐ Yes ☐ No

AFFECTED WATERWAY(S): Horse Thiel Canyon Creek; Cimarron River

DISTANCE: 1000'

FLOW PATH TO WATERWAY:

W. to Horse Thiel Canyon Creek; W. to Cimarron River

Note: The following storage capacity is not considered in determining applicability of SPCC requirements:

- Equipment subject to the authority of the U.S. Department of Transportation, U.S. Department of the Interior, or Minerals Management Service, as defined in Memoranda of Understanding dated November 24, 1971, and November 8, 1993; Tank trucks that return to an otherwise regulated facility that contain only residual amounts of oil (EPA Policy letter)
- Completely buried tanks subject to all the technical requirements of 40 CFR part 280 or a state program approved under 40 CFR part 281;
- Underground oil storage tanks deferred under 40 CFR part 280 that supply emergency diesel generators at a nuclear power generation facility licensed by the Nuclear Regulatory Commission (NRC) and subject to any NRC provision regarding design and quality criteria, including but not limited to CFR part 50;
- Any facility or part thereof used exclusively for wastewater treatment (production, recovery or recycling of oil is not considered wastewater treatment); (This does not include other oil containers located at a wastewater treatment facility, such as generator tanks or transformers)
- Containers smaller than 55 U.S. gallons;
- Permanently closed containers (as defined in §112.2);
- Motive power containers (as defined in §112.2);
- Hot-mix asphalt or any hot-mix asphalt containers;
- Heating oil containers used solely at a single-family residence;
- Pesticide application equipment and related mix containers;
- Any milk and milk product container and associated piping and appurtenances; and
- Intra-facility gathering lines subject to the regulatory requirements of 49 CFR part 192 or 195.

Does the facility have an SPCC Plan?

☐ Yes ☒ No**FACILITY RESPONSE PLAN (FRP) APPLICABILITY—40 CFR 112.20(f)**

A non-transportation related onshore facility is required to prepare and implement an FRP as outlined in 40 CFR 112.20 if:

- ☐ The facility transfers oil over water to or from vessels and has a total oil storage capacity greater than or equal to 42,000 U.S. gallons, OR
- ☐ The facility has a total oil storage capacity of at least 1 million U.S. gallons, AND at least one of the following is true:
- ☐ The facility does not have secondary containment sufficiently large to contain the capacity of the largest aboveground tank plus sufficient freeboard for precipitation.
 - ☐ The facility is located at a distance such that a discharge could cause injury to fish and wildlife and sensitive environments.
 - ☐ The facility is located such that a discharge would shut down a public drinking water intake.
 - ☐ The facility has had a reportable discharge greater than or equal to 10,000 U.S. gallons in the past 5 years.

Facility has FRP: ☐ Yes ☐ No ☒ NA

FRP Number:

Facility has a completed and signed copy of Appendix C, Attachment C-II, "Certification of the Applicability of the Substantial Harm Criteria."

☐ Yes ☒ No

Comments:

no plan available
will shut-in approx. 1/2011 but tanks
not yet closed & still sub

SPCC TIER II QUALIFIED FACILITY APPLICABILITY—40 CFR 112.3(g)(2)

The aggregate aboveground oil storage capacity is 10,000 U.S. gallons or less **AND**

☐ Yes ☐ No

In the three years prior to the SPCC Plan self-certification date, or since becoming subject to the rule (if the facility has been in operation for less than three years), the facility has **NOT** had:

- A single discharge as described in §112.1(b) exceeding 1,000 U.S. gallons, **OR**
- Two discharges as described in §112.1(b) each exceeding 42 U.S. gallons within any twelve-month period¹

☐ Yes ☐ No

☐ Yes ☐ No

IF **YES** TO ALL OF THE ABOVE, THEN THE FACILITY IS A TIER II QUALIFIED FACILITY²

SEE ATTACHMENT D FOR TIER II QUALIFIED FACILITY CHECKLIST

REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION OF A SPCC PLAN—40 CFR 112.3

Date facility began operations: *~ 1998*

Date of initial SPCC Plan preparation: *MD*

Current Plan version (date/number): *no plan available*

112.3(a)

For drilling, production or workover facilities, including mobile or portable facilities, that are offshore or have an offshore component; or facilities required to have and submit a FRP:

- In operation on or prior to November 10, 2010: Plan prepared and/or amended and fully implemented by **November 10, 2010**
- Facilities beginning operation after November 10, 2010:
 - Plan prepared and fully implemented before drilling and workover facilities begin operations; or
 - Plan prepared and fully implemented within six months after oil production facilities begin operations

☐ Yes ☐ No ☒ NA

☐ Yes ☐ No ☒ NA

☐ Yes ☐ No ☒ NA

For all other drilling, production or workover facilities, including mobile or portable facilities:

- In operation on or prior to November 10, 2011: Plan prepared and/or amended and fully implemented by **November 10, 2011**
- Facilities beginning operation after November 10, 2011:
 - Plan prepared and fully implemented before drilling and workover facilities begin operations; or
 - Plan prepared and fully implemented within six months after oil production facilities begin operations

☐ Yes ☒ No ☐ NA

☐ Yes ☐ No ☒ NA

☐ Yes ☐ No ☒ NA

112.3(d)

Plan is certified by a registered Professional Engineer (PE) and includes statements that the PE attests:

- PE is familiar with the requirements of 40 CFR part 112
- PE or agent has visited and examined the facility
- Plan is prepared in accordance with good engineering practice including consideration of applicable industry standards and the requirements of 40 CFR part 112
- Procedures for required inspections and testing have been established
- Plan is adequate for the facility
- For produced water containers subject to 112.9(c)(6), any procedure to minimize the amount of free-phase oil is designed to reduce the accumulation of free-phase oil and the procedures and frequency for required inspections, maintenance and testing have been established and are described in the Plan, if applicable

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

☐ Yes ☒ No ☐ NA

PE Name:

License No.:

State:

Date of certification:

112.3(e)(1)

Plan is available onsite if attended at least 4 hours per day. If facility is unattended, Plan is available at the nearest field office. (Please note nearest field office contact information in comments section below.)

☐ Yes ☒ No ☐ NA

Comments:

no plan

¹ Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

² An owner/operator who self-certifies a Tier II SPCC Plan may not include any environmentally equivalent alternatives or secondary containment impracticability determinations unless reviewed and certified by a PE.

AMENDMENT OF SPCC PLAN BY REGIONAL ADMINISTRATOR (RA)—40 CFR 112.4

| | | |
|---------------------|---|--|
| 112.4(a),(c) | Has the facility discharged more than 1,000 U.S. gallons of oil in a single reportable discharge or more than 42 U.S. gallons in each of two reportable discharges in any 12-month period? ³ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If YES | <ul style="list-style-type: none"> Was information submitted to the RA as required in §112.4(a)?⁴ Was information submitted to the appropriate agency or agencies in charge of oil pollution control activities in the State in which the facility is located §112.4(c) Date(s) and volume(s) of reportable discharges(s) under this section: Were the discharges reported to the NRC⁵? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 112.4(d),(e) | Have changes required by the RA been implemented in the Plan and/or facility? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |

Comments:

AMENDMENT OF SPCC PLAN BY THE OWNER OR OPERATOR—40 CFR 112.5

| | | |
|-----------------|---|--|
| 112.5(a) | Has there been a change at the facility that materially affects the potential for a discharge described in §112.1(b)? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If YES | <ul style="list-style-type: none"> Was the Plan amended within six months of the change? Were amendments implemented within six months of any Plan amendment? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 112.5(b) | Review and evaluation of the Plan completed at least once every 5 years? Following Plan review, was Plan amended within six months to include more effective prevention and control technology that has been field-proven to significantly reduce the likelihood of a discharge described in §112.1(b)? Amendments implemented within six months of any Plan amendment? Five year Plan review and evaluation documented? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA |
| 112.5(c) | Professional Engineer certification of any technical Plan amendments in accordance with all applicable requirements of §112.3(d) [Except for self-certified Plans] | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |

Name:

License No.:

State:

Date of certification:

Reason for amendment:

Comments:

none

³ A reportable discharge is a discharge as described in §112.1(b)(see 40 CFR part 110). The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination

⁴ Triggering this threshold may disqualify the facility from meeting the Qualified Facility criteria if it occurred in the three years prior to self-certification

⁵ Inspector Note-Confirm any spills identified above were reported to NRC

| GENERAL SPCC REQUIREMENTS—40 CFR 112.7 | | PLAN | FIELD |
|--|---|--|---|
| Management approval at a level of authority to commit the necessary resources to fully implement the Plan ⁶ | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Plan follows sequence of the rule or is an equivalent Plan meeting all applicable rule requirements and includes a cross-reference of provisions | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | |
| If Plan calls for facilities, procedures, methods, or equipment not yet fully operational, details of their installation and start-up are discussed (<i>Note: Relevant for inspection evaluation and testing baselines.</i>) | | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | |
| 112.7(a)(2) | The Plan includes deviations from the requirements of §§112.7(g), (h)(2) and (3), and (i) and applicable subparts B and C of the rule, except the secondary containment requirements in §§112.7(c) and (h)(1), 112.9(c)(2), 112.9(d)(3), and 112.10(c) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | |
| If YES | <ul style="list-style-type: none"> The Plan states reasons for nonconformance Alternative measures described in detail and provide equivalent environmental protection (<i>Note: Inspector should document if the environmental equivalence is implemented in the field, in accordance with the Plan's description</i>) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| Describe each deviation and reasons for nonconformance: | | | |
| | | | |

⁶ May be part of the Plan or demonstrated elsewhere.

no plan

| | | PLAN | FIELD |
|---------------------------------------|--|---|---|
| 112.7(a)(3) | Plan describes physical layout of facility and includes a diagram ⁷ that identifies: <ul style="list-style-type: none"> • Location and contents of all regulated fixed oil storage containers • Storage areas where mobile or portable containers are located • Completely buried tanks otherwise exempt from the SPCC requirements (marked as "exempt") • Transfer stations • Connecting pipes, including intra-facility gathering lines that are otherwise exempt from the requirements of this part under §112.1(d)(11) | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Plan addresses each of the following: | | | |
| (i) | For each fixed container, type of oil and storage capacity (see Attachment A of this checklist). For mobile or portable containers, type of oil and storage capacity for each container or an estimate of the potential number of mobile or portable containers, the types of oil, and anticipated storage capacities | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| (ii) | Discharge prevention measures, including procedures for routine handling of products (loading, unloading, and facility transfers, etc.) | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| (iii) | Discharge or drainage controls, such as secondary containment around containers, and other structures, equipment, and procedures for the control of a discharge | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| (iv) | Countermeasures for discharge discovery, response, and cleanup (both facility's and contractor's resources) | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| (v) | Methods of disposal of recovered materials in accordance with applicable legal requirements | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| (vi) | Contact list and phone numbers for the facility response coordinator, National Response Center, cleanup contractors with an agreement for response, and all Federal, State, and local agencies who must be contacted in the case of a discharge as described in §112.1(b) | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 112.7(a)(4) | Does not apply if the facility has submitted an FRP under §112.20: Plan includes information and procedures that enable a person reporting an oil discharge as described in §112.1(b) to relate information on the: <ul style="list-style-type: none"> • Exact address or location and phone number of the facility; • Date and time of the discharge; • Type of material discharged; • Estimates of the total quantity discharged; • Estimates of the quantity discharged as described in §112.1(b); • Source of the discharge; • Description of all affected media; • Cause of the discharge; • Damages or injuries caused by the discharge; • Actions being used to stop, remove, and mitigate the effects of the discharge; • Whether an evacuation may be needed; and • Names of individuals and/or organizations who have also been contacted. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | |
| 112.7(a)(5) | Does not apply if the facility has submitted a FRP under §112.20: Plan organized so that portions describing procedures to be used when a discharge occurs will be readily usable in an emergency | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | |
| 112.7(b) | Plan includes a prediction of the direction, rate of flow, and total quantity of oil that could be discharged for each type of major equipment failure where experience indicates a reasonable potential for equipment failure | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | |
| Comments: | | | |

⁷ Note in comments any discrepancies between the facility diagram, the description of the physical layout of facility, and what is observed in the field

| | | PLAN | FIELD | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|---|--|--|---|--|--|--|---|---|---|--|--|--|---|---|--|--|--|--|
| 112.7(c) | <p>Appropriate containment and/or diversionary structures or equipment are provided to prevent a discharge as described in §112.1(b), except as provided in §112.7(k) of this section for certain qualified operational equipment and §112.9(d)(3) for certain flowlines and intra-facility gathering lines at an oil production facility. The entire containment system, including walls and floors, are capable of containing oil and are constructed to prevent escape of a discharge from the containment system before cleanup occurs. The method, design, and capacity for secondary containment address the typical failure mode and the most likely quantity of oil that would be discharged. See Attachment A of this checklist.</p> <p>For onshore facilities, one of the following or its equivalent:</p> <ul style="list-style-type: none"> • Dikes, berms, or retaining walls sufficiently impervious to contain oil, • Weirs, booms or other barriers, • Curbing or drip pans, • Spill diversion ponds, • Sumps and collection systems, • Retention ponds, or • Culverting, gutters or other drainage systems, • Sorbent materials. <p>Identify which of the following are present at the facility and if appropriate containment and/or diversionary structures or equipment are provided as described above:</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/> Bulk storage containers</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input type="checkbox"/> Mobile/portable containers</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input type="checkbox"/> Oil-filled operational equipment (as defined in 112.2)</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input type="checkbox"/> Other oil-filled equipment (i.e., manufacturing equipment)</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input checked="" type="checkbox"/> Piping and related appurtenances</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input type="checkbox"/> Mobile refuelers of non-transportation-related tank cars</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input checked="" type="checkbox"/> Transfer areas, equipment and activities</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> <tr> <td><input type="checkbox"/> Identify any other equipment or activities that are not listed above:</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> <td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</td> </tr> </table> | <input checked="" type="checkbox"/> Bulk storage containers | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Mobile/portable containers | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Oil-filled operational equipment (as defined in 112.2) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Other oil-filled equipment (i.e., manufacturing equipment) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Piping and related appurtenances | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Mobile refuelers of non-transportation-related tank cars | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Transfer areas, equipment and activities | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Identify any other equipment or activities that are not listed above: | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| <input checked="" type="checkbox"/> Bulk storage containers | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Mobile/portable containers | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Oil-filled operational equipment (as defined in 112.2) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Other oil-filled equipment (i.e., manufacturing equipment) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Piping and related appurtenances | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Mobile refuelers of non-transportation-related tank cars | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Transfer areas, equipment and activities | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Identify any other equipment or activities that are not listed above: | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | | |
| 112.7(d) | <p>Secondary containment for one (or more) of the following provisions is determined to be impracticable:</p> <table border="1"> <tr> <td><input type="checkbox"/> General secondary containment §112.7(c)</td> <td><input type="checkbox"/> Bulk storage containers §§112.8(c)(2)/112.12(c)(2)</td> </tr> <tr> <td><input type="checkbox"/> Loading/unloading rack §112.7(h)(1)</td> <td><input type="checkbox"/> Mobile/portable containers §§112.8(c)(11)/112.12(c)(11)</td> </tr> </table> | <input type="checkbox"/> General secondary containment §112.7(c) | <input type="checkbox"/> Bulk storage containers §§112.8(c)(2)/112.12(c)(2) | <input type="checkbox"/> Loading/unloading rack §112.7(h)(1) | <input type="checkbox"/> Mobile/portable containers §§112.8(c)(11)/112.12(c)(11) | <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> General secondary containment §112.7(c) | <input type="checkbox"/> Bulk storage containers §§112.8(c)(2)/112.12(c)(2) | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Loading/unloading rack §112.7(h)(1) | <input type="checkbox"/> Mobile/portable containers §§112.8(c)(11)/112.12(c)(11) | | | | | | | | | | | | | | | | | | | | | | | | | |
| If YES | <ul style="list-style-type: none"> • The impracticability of secondary containment is clearly demonstrated and described in the Plan • For bulk storage containers,⁸ periodic integrity testing of containers and integrity and leak testing of the associated valves and piping is conducted <p>(Does not apply if the facility has submitted a FRP under §112.20):</p> <ul style="list-style-type: none"> • Contingency Plan following the provisions of 40 CFR part 109 is provided (see Attachment C of this checklist) AND • Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <div style="background-color: black; height: 20px; width: 100%;"></div> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Comments:</p> <p style="font-size: 1.2em; font-family: cursive;">no plan & no cons. for loading</p> <p style="font-size: 1.2em; font-family: cursive;">gip tank in shed in con</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |

⁸ These additional requirements apply only to bulk storage containers, when an impracticability determination has been made by the PE

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| | | PLAN | FIELD |
|------------|---|---|---|
| 112.7(e) | Inspections and tests conducted in accordance with written procedures | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | Record of inspections or tests signed by supervisor or inspector | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | Kept with Plan for at least 3 years (see Attachment B of this checklist) ⁹ | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 112.7(f) | Personnel, training, and oil discharge prevention procedures | | |
| (1) | Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA |
| (2) | Person designated as accountable for discharge prevention at the facility and reports to facility management | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA |
| (3) | Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA |
| 112.7(h) | Tank car and tank truck loading/unloading rack ¹⁰ is present at the facility | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| | <i>Loading/unloading rack</i> means a fixed structure (such as a platform, gangway) necessary for loading or unloading a tank truck or tank car, which is located at a facility subject to the requirements of this part. A loading/unloading rack includes a loading or unloading arm, and may include any combination of the following: piping assemblages, valves, pumps, shut-off devices, overfill sensors, or personnel safety devices. | | |
| If YES (1) | Does loading/unloading rack drainage flow to catchment basin or treatment facility designed to handle discharges or use a quick drainage system? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| | Containment system holds at least the maximum capacity of the largest single compartment of a tank car/truck loaded/unloaded at the facility | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (2) | An interlocked warning light or physical barriers, warning signs, wheel chocks, or vehicle brake interlock system in the area adjacent to the loading or unloading rack to prevent vehicles from departing before complete disconnection of flexible or fixed oil transfer lines | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (3) | Lower-most drains and all outlets on tank cars/trucks inspected prior to filling/departure, and, if necessary ensure that they are tightened, adjusted, or replaced to prevent liquid discharge while in transit | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| Comments: | | | |

⁹ Records of inspections and tests kept under usual and customary business practices will suffice

¹⁰ Note that a tank car/truck loading/unloading rack must be present for §112.7(h) to apply

| | | PLAN | FIELD |
|-----------|--|---|---|
| 112.7(i) | Brittle fracture evaluation of field-constructed aboveground containers is conducted after tank repair, alteration, reconstruction, or change in service that might affect the risk of a discharge or after a discharge/failure due to brittle fracture or other catastrophe, and appropriate action taken as necessary (applies to only field-constructed aboveground containers in production service, drilling, and workover service) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| 112.7(j) | Discussion of conformance with applicable more stringent State rules, regulations, and guidelines and other effective discharge prevention and containment procedures listed in 40 CFR part 112 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | |
| 112.7(k) | <p>Qualified oil-filled operational equipment is present at the facility¹¹ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>Oil-filled operational equipment</i> means equipment that includes an oil storage container (or multiple containers) in which the oil is present solely to support the function of the apparatus or the device. Oil-filled operational equipment is not considered a bulk storage container, and does not include oil-filled manufacturing equipment (flow-through process). Examples of oil-filled operational equipment include, but are not limited to, hydraulic systems, lubricating systems (e.g., those for pumps, compressors and other rotating equipment, including pumpjack lubrication systems), gear boxes, machining coolant systems, heat transfer systems, transformers, circuit breakers, electrical switches, and other systems containing oil solely to enable the operation of the device.</p> <p>If YES Check which apply:</p> <p>Secondary Containment provided in accordance with 112.7(c) <input type="checkbox"/></p> <p>Alternative measure described below (confirm eligibility) <input type="checkbox"/></p> | | |
| 112.7(k) | <p>Qualified Oil-Filled Operational Equipment</p> <ul style="list-style-type: none"> Has a single reportable discharge as described in §112.1(b) from any oil-filled operational equipment exceeding 1,000 U.S. gallons occurred within the three years prior to Plan certification date? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA Have two reportable discharges as described in §112.1(b) from any oil-filled operational equipment each exceeding 42 U.S. gallons occurred within any 12-month period within the three years prior to Plan certification date?¹² <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | | |
| | If YES for either, secondary containment in accordance with §112.7(c) is required | | |
| | <ul style="list-style-type: none"> Facility procedure for inspections or monitoring program to detect equipment failure and/or a discharge is established and documented <p>Does not apply if the facility has submitted a FRP under §112.20:</p> <ul style="list-style-type: none"> Contingency plan following 40 CFR part 109 (see Attachment C of this checklist) is provided in Plan AND Written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that may be harmful is provided in Plan | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| Comments: | | | |

¹¹ This provision does not apply to oil-filled manufacturing equipment (flow-through process)

¹² Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

mspn

| ONSHORE OIL PRODUCTION FACILITIES—40 CFR 112.9 | | <input type="checkbox"/> NA | PLAN | FIELD |
|--|---|--|---|-------|
| (Drilling and workover facilities are excluded from the requirements of §112.9) <i>Production facility</i> means all structures (including but not limited to wells, platforms, or storage facilities), piping (including but not limited to flowlines or intra-facility gathering lines), or equipment (including but not limited to workover equipment, separation equipment, or auxiliary non-transportation-related equipment) used in the production, extraction, recovery, lifting, stabilization, separation or treating of oil (including condensate), or associated storage or measurement, and is located in an oil or gas field, at a facility. This definition governs whether such structures, piping, or equipment are subject to a specific section of this part. | | | | |
| 112.9(b) Oil Production Facility Drainage | | | | |
| (1) | At tank batteries, separation and treating areas where there is a reasonable possibility of a discharge as described in §112.1(b), drains for dikes or equivalent measures are closed and sealed except when draining uncontaminated rainwater. Accumulated oil on the rainwater is removed and then returned to storage or disposed of in accordance with legally approved methods Prior to drainage, diked area inspected and action taken as provided below: <ul style="list-style-type: none"> 112.8(c)(3)(ii) - Retained rainwater is inspected to ensure that its presence will not cause a discharge as described in §112.1(b) 112.8(c)(3)(iii) - Bypass valve opened and resealed under responsible supervision 112.8(c)(3)(iv) - Adequate records of drainage are kept; for example, records required under permits issued in accordance with §122.41(j)(2) and (m)(3) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <i>water in</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA | |
| (2) | Field drainage systems (e.g., drainage ditches or road ditches) and oil traps, sumps, or skimmers inspected at regularly scheduled intervals for oil, and accumulations of oil promptly removed | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| 112.9(c) Oil Production Facility Bulk Storage Containers | | | | |
| <i>Bulk storage container</i> means any container used to store oil. These containers are used for purposes including, but not limited to, the storage of oil prior to use, while being used, or prior to further distribution in commerce. Oil-filled electrical, operating, or manufacturing equipment is not a bulk storage container. | | | | |
| (1) | Containers materials and construction are compatible with material stored and conditions of storage such as pressure and temperature | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| (2) | Except as allowed for flow-through process vessels in §112.9(c)(5) and produced water containers in §112.9(c)(6), secondary containment provided for all tank battery, separation and treating facilities sized to hold the capacity of largest single container and sufficient freeboard for precipitation. Drainage from undiked area safely confined in a catchment basin or holding pond. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| (3) | Except as allowed for flow-through process vessels in §112.9(c)(5) and produced water containers in §112.9(c)(6), periodically and upon a regular schedule, visually inspect containers for deterioration and maintenance needs, including foundation and supports of each container on or above the surface of the ground | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| (4) | New and old tank batteries engineered/updated in accordance with good engineering practices to prevent discharges including at least one of the following: <ul style="list-style-type: none"> Adequate container capacity to prevent overflow if a pumper/gauger is delayed in making regularly scheduled rounds; Overflow equalizing lines between containers so that a full container can overflow to an adjacent container; Adequate vacuum protection to prevent container collapse; or High level sensors to generate and transmit an alarm to the computer where the facility is subject to a computer production control system | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | |
| Comments: | | | | |

| | | PLAN | FIELD |
|-----------|---|---|---|
| (5) | Flow-through Process Vessels. Alternate requirements in lieu of sized secondary containment required in (c)(2) and requirements in (c)(3) above for facilities with flow-through process vessels: | | |
| (i) | Flow-through process vessels and associated components (e.g. dump valves) are periodically and on a regular schedule visually inspected and/or tested for leaks, corrosion, or other conditions that could lead to a discharge as described in §112.1(b) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (ii) | Corrective actions or repairs have been made to flow-through process vessels and any associated components as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (iii) | Oil removed or other actions initiated to promptly stabilize and remediate any accumulation of oil discharges associated with the produced water container | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (iv) | All flow-through process vessels comply with §§112.9(c)(2) and (c)(3) within six months of any flow-through process vessel discharge of more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b) or discharges of more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period. ¹³ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (6) | Produced Water Containers. Alternate requirements in lieu of sized secondary containment required in (c)(2) and requirements in (c)(3) above for facilities with produced water containers: | | |
| (i) | A procedure is implemented on a regular schedule for each produced water container that is designed to separate the free-phase oil that accumulates on the surface of the produced water. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| | <ul style="list-style-type: none"> A description is included in the Plan of the procedures, frequency, and amount of free-phase oil expected to be maintained inside the container; PE certifies in accordance with §112.3(d)(1)(vi); Records of such events are maintained in accordance with §112.7(e). | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | |
| | If this procedure is not implemented as described in the Plan or no records are maintained, then facility owner/operator must comply with §112.9(c)(2) and (c)(3). | | |
| (ii) | Each produced water container and associated piping is visually inspected, on a regular basis, for leaks, corrosion, or other conditions that could lead to a discharge as described in §112.1(b) in accordance with good engineering practice. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (iii) | Corrective action or necessary repairs were made to any produced water container and associated piping as indicated by regularly scheduled visual inspections, tests, or evidence of an oil discharge. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (iv) | Oil removed or other actions initiated to promptly stabilize and remediate any accumulation of oil discharges associated with the produced water container. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| (v) | All produced water containers comply with §§112.9(c)(2) and (c)(3) within six months of any produced water container discharge of more than 1,000 U.S. gallons of oil in a single discharge as described in §112.1(b) or discharges of more than 42 U.S. gallons of oil in each of two discharges as described in §112.1(b) within any twelve month period. ¹⁴ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA |
| Comments: | | | |

¹³ Oil discharges that result from natural disasters, acts of war, or terrorism are not included in this determination. The gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines not the total amount of oil spilled. The entire volume of the discharge is oil for this determination.

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| | | PLAN | FIELD |
|---|--|--|--|
| 112.9(d) Facility transfer operations, pumping, and facility process | | | |
| (1) | All aboveground valves and piping associated with transfer operations are inspected periodically and upon a regular schedule to determine their general condition. Include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, pumping well polish rod stuffing boxes, bleeder and gauge valves, and other such items | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (2) | Saltwater (oil field brine) disposal facilities inspected often to detect possible system upsets capable of causing a discharge, particularly following a sudden change in atmospheric temperature | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (3) | If flowlines and intra-facility gathering lines are not provided with secondary containment in accordance with §112.7(c) and the facility is not required to submit an FRP under §112.20, then the SPCC Plan includes: | | |
| (i) | • An oil spill contingency plan following the provisions of 40 CFR part 109 ¹⁴ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (ii) | • A written commitment of manpower, equipment, and materials required to expeditiously control and remove any quantity of oil discharged that might be harmful | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (4) | A flowline/intra-facility gathering line maintenance program to prevent discharges is prepared and implemented and includes the following procedures: | | |
| (i) | Flowlines and intra-facility gathering lines and associated valves and equipment are compatible with the type of production fluids, their potential corrosivity, volume, and pressure, and other conditions expected in the operational environment | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (ii) | Flowlines and intra-facility gathering lines and associated appurtenances are visually inspected and/or tested on a periodic and regular schedule for leaks, oil discharges, corrosion, or other conditions that could lead to a discharge as described in §112.1(b). If flowlines and intra-facility gathering lines are not provided with secondary containment in accordance with §112.7(c), the frequency and type of testing allows for the implementation of a contingency plan as described under 40 CFR 109 or an FRP submitted under §112.20 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (iii) | Repairs or other corrective actions are made to any flowlines and intra-facility gathering lines and associated appurtenances as indicated by regularly scheduled visual inspections, tests, or evidence of a discharge | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (iv) | Oil removed or other actions initiated to promptly stabilize and remediate any accumulations of oil discharges associated with the flowlines, intra-facility gathering lines, and associated appurtenances | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| ONSHORE OIL DRILLING AND WORKOVER FACILITIES—40 CFR 112.10 | | | <input type="checkbox"/> NA |
| 112.10(b) | Mobile drilling or workover equipment is positioned or located to prevent a discharge as described in §112.1(b) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 112.10(c) | Catchment basins or diversion structures are provided to intercept and contain discharges of fuel, crude oil, or oily drilling fluids | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 112.10(d) | Blowout prevention (BOP) assembly and well control system installed before drilling below any casing string or during workover operations BOP assembly and well control system is capable of controlling any well-head pressure that may be encountered while on the well | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Comments: | | | |

¹⁴ Note that the implementation of a 40 CFR part 109 plan does not require a PE impracticability determination for this specific requirement

ATTACHMENT A: SPCC FIELD INSPECTION AND PLAN REVIEW TABLE

Documentation of Field Observations for Containers and Associated Requirements

Inspectors should use this table to document observations of containers as needed.

Containers and Piping

Check containers for leaks, specifically looking for: drip marks, discoloration of tanks, puddles containing spilled or leaked material, corrosion, cracks, and localized dead vegetation, and standards/specifications of construction.

Check aboveground container foundation for: cracks, discoloration, and puddles containing spilled or leaked material, settling, gaps between container and foundation, and damage caused by vegetation roots.

Check all piping for: droplets of stored material, discoloration, corrosion, bowing of pipe between supports, evidence of stored material seepage from valves or seals, evidence of leaks, and localized dead vegetation. For all aboveground piping, include the general condition of flange joints, valve glands and bodies, drip pans, pipe supports, bleeder and gauge valves, and other such items (Document in comments section of §112.9(d).)

Secondary Containment (Active and Passive)

Check secondary containment for: containment system (including walls and floor) ability to contain oil such that oil will not escape the containment system before cleanup occurs, proper sizing, cracks, discoloration, presence of spilled or leaked material (standing liquid), erosion, corrosion, penetrations in the containment system, and valve conditions.

Check dike or berm systems for: level of precipitation in dike/available capacity, operational status of drainage valves (closed), dike or berm impermeability, debris, erosion, impermeability of the earthen floor/walls of diked area, and location/status of pipes, inlets, drainage around and beneath containers, presence of oil discharges within diked areas.

Check drainage systems for: an accumulation of oil that may have resulted from any small discharge, including field drainage systems (such as drainage ditches or road ditches), and oil traps, sumps, or skimmers. Ensure any accumulations of oil have been promptly removed.

Check retention and drainage ponds for: erosion, available capacity, presence of spilled or leaked material, debris, and stressed vegetation.

Check active measures (countermeasures) for: amount indicated in plan is available and appropriate; deployment procedures are realistic; material is located so that they are readily available; efficacy of discharge detection; availability of personnel and training, appropriateness of measures to prevent a discharge as described in §112.1(b). *Note that appropriate evaluation and consideration must be given to the any use of active measures at an unmanned oil production facility.*

| Container ID/ General Condition ¹⁵ Aboveground or Buried Tank | Storage Capacity and Type of Oil | Type of Containment/ Drainage Control | Overfill Protection and Testing & Inspections |
|---|----------------------------------|--|--|
| SN 52651797 Mcd 2009 | 300 bbl Crude | Dike | NO |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

¹⁵ Identify each tank with either an A to indicate aboveground or B for completely buried

500h1 CB
2 500h1 K04L 10h1 -

(1) 200h1 500h1 -

4. 100h1 500h1

(6) 300h1, 0.1 10h1,

ATTACHMENT B: SPCC INSPECTION AND TESTING CHECKLIST

Required Documentation of Tests and Inspections

Records of inspections and tests required by 40 CFR part 112 signed by the appropriate supervisor or inspector must be kept by all facilities with the SPCC Plan for a period of three years. Records of inspections and tests conducted under usual and customary business practices will suffice. Documentation of the following inspections and tests should be kept with the SPCC Plan.

| Inspection or Test | | Documentation | | Not Applicable |
|---|---|--------------------------|-------------------------------------|--|
| | | Present | Not Present | |
| 112.7—General SPCC Requirements | | | | |
| (d) | Integrity testing for bulk storage containers with no secondary containment system and for which an impracticability determination has been made | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) | Integrity and leak testing of valves and piping associated with bulk storage containers with no secondary containment system and for which an impracticability determination has been made | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h)(3) | Inspection of lowermost drain and all outlets of tank car or tank truck prior to filling and departure from loading/unloading rack | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) | Evaluation of field-constructed aboveground containers for potential for brittle fracture or other catastrophic failure when the container undergoes a repair, alteration, reconstruction or change in service or has discharged oil or failed due to brittle fracture failure or other catastrophe | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k(2)(i) | Inspection or monitoring of qualified oil-filled operational equipment when the equipment meets the qualification criteria in §112.7(k)(1) and facility owner/operator chooses to implement the alternative requirements in §112.7(k)(2) that include an inspection or monitoring program to detect oil-filled operational equipment failure and discharges | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 112.9—Onshore Oil Production Facilities (excluding drilling and workover facilities) | | | | <input checked="" type="checkbox"/> NA |
| (b)(1) | Rainwater released directly from diked containment areas inspected following §§112.8(c)(3)(ii), (iii) and (iv), including records of drainage kept | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b)(2) | Field drainage systems, oil traps, sumps, and skimmers inspected regularly for oil, and accumulations of oil promptly removed | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c)(3) | Containers, foundations and supports inspected visually for deterioration and maintenance needs | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c)(5)(i) | In lieu of having sized secondary containment, flow-through process vessels and associated components visually inspected and/or tested periodically and on a regular schedule for conditions that could result in a discharge as described in §112.1(b) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c)(6)(ii) | In lieu of having sized secondary containment, produced water containers and associated piping are visually inspected and/or tested for leaks, corrosion, or other conditions that could lead to a discharge as described in §112.1(b) in accordance with good engineering practice | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d)(1) | All aboveground valves and piping associated with transfer operations are regularly inspected | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d)(2) | Saltwater disposal facilities inspected often to detect possible system upsets capable of causing a discharge | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d)(4)(ii) | For flowlines and intra-facility gathering lines without secondary containment, in accordance with §112.7(c), lines are visually inspected and/or tested periodically and on a regular schedule to allow implementing the part 109 contingency plan or the FRP submitted under §112.20 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

ATTACHMENT C: SPCC CONTINGENCY PLAN REVIEW CHECKLIST

☐ NA

40 CFR Part 109—Criteria for State, Local and Regional Oil Removal Contingency Plans

If SPCC Plan includes an impracticability determination for secondary containment in accordance with §112.7(d), the facility owner/operator is required to provide an oil spill contingency plan following 40 CFR part 109, unless he or she has submitted a FRP under §112.20. An oil spill contingency plan may also be developed, unless the facility owner/operator has submitted a FRP under §112.20 as one of the required alternatives to general secondary containment for qualified oil filled operational equipment in accordance with §112.7(k).

| 109.5—Development and implementation criteria for State, local and regional oil removal contingency plans ¹⁷ | | Yes | No |
|---|--|--------------------------|-------------------------------------|
| (a) | Definition of the authorities, responsibilities and duties of all persons, organizations or agencies which are to be involved in planning or directing oil removal operations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) | Establishment of notification procedures for the purpose of early detection and timely notification of an oil discharge including: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (1) | The identification of critical water use areas to facilitate the reporting of and response to oil discharges. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) | A current list of names, telephone numbers and addresses of the responsible persons (with alternates) and organizations to be notified when an oil discharge is discovered. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) | Provisions for access to a reliable communications system for timely notification of an oil discharge, and the capability of interconnection with the communications systems established under related oil removal contingency plans, particularly State and National plans (e.g., National Contingency Plan (NCP)). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) | An established, prearranged procedure for requesting assistance during a major disaster or when the situation exceeds the response capability of the State, local or regional authority. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) | Provisions to assure that full resource capability is known and can be committed during an oil discharge situation including: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (1) | The identification and inventory of applicable equipment, materials and supplies which are available locally and regionally. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) | An estimate of the equipment, materials and supplies that would be required to remove the maximum oil discharge to be anticipated. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) | Development of agreements and arrangements in advance of an oil discharge for the acquisition of equipment, materials and supplies to be used in responding to such a discharge. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) | Provisions for well defined and specific actions to be taken after discovery and notification of an oil discharge including: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (1) | Specification of an oil discharge response operating team consisting of trained, prepared and available operating personnel. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) | Pre-designation of a properly qualified oil discharge response coordinator who is charged with the responsibility and delegated commensurate authority for directing and coordinating response operations and who knows how to request assistance from Federal authorities operating under existing national and regional contingency plans. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) | A preplanned location for an oil discharge response operations center and a reliable communications system for directing the coordinated overall response operations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) | Provisions for varying degrees of response effort depending on the severity of the oil discharge. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (5) | Specification of the order of priority in which the various water uses are to be protected where more than one water use may be adversely affected as a result of an oil discharge and where response operations may not be adequate to protect all uses. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) | Specific and well defined procedures to facilitate recovery of damages and enforcement measures as provided for by State and local statutes and ordinances. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

¹⁷ The contingency plan should be consistent with all applicable state and local plans, Area Contingency Plans, and the NCP.

ATTACHMENT D: TIER II QUALIFIED FACILITY CHECKLIST

☐ NA

TIER II QUALIFIED FACILITY PLAN REQUIREMENTS —40 CFR 112.6(b)

| | | |
|--------------------|---|--|
| 112.6(b)(1) | Plan Certification: Owner/operator certified in the Plan that: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| (i) | He or she is familiar with the requirements of 40 CFR part 112 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (ii) | He or she has visited and examined the facility ¹⁸ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (iii) | The Plan has been prepared in accordance with accepted and sound industry practices and standards and with the requirements of this part | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (iv) | Procedures for required inspections and testing have been established | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (v) | He or she will fully implement the Plan | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (vi) | The facility meets the qualification criteria set forth under §112.3(g)(2) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (vii) | The Plan does not deviate from any requirements as allowed by §§112.7(a)(2) and 112.7(d), except as described under §112.6(b)(3)(i) or (ii) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (viii) | The Plan and individual(s) responsible for implementing the Plan have the full approval of management and the facility owner or operator has committed the necessary resources to fully implement the Plan. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 112.6(b)(2) | Technical Amendments: The owner/operator self-certified the Plan's technical amendments for a change in facility design, construction, operation, or maintenance that affected potential for a §112.1(b) discharge | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| If YES | <ul style="list-style-type: none"> Certification of technical amendments is in accordance with the self-certification provisions of §112.6(b)(1). | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (i) | A PE certified a portion of the Plan (i.e., Plan is informally referred to as a hybrid Plan) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| If YES | <ul style="list-style-type: none"> The PE also certified technical amendments that affect the PE certified portion of the Plan as required under §112.6(b)(4)(ii) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (ii) | The aggregate aboveground oil storage capacity increased to more than 10,000 U.S. gallons as a result of the change | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| If YES | <i>The facility no longer meets the Tier II qualifying criteria in §112.3(g)(2) because it exceeds 10,000 U.S. gallons in aggregate aboveground storage capacity.</i> | |
| | The owner/operator prepared and implemented a Plan within 6 months following the change and had it certified by a PE under §112.3(d) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 112.6(b)(3) | Plan Deviations: Does the Plan include environmentally equivalent alternative methods or impracticability determinations for secondary containment? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| If YES | Identify the alternatives in the hybrid Plan: | |
| | <ul style="list-style-type: none"> Environmental equivalent alternative method(s) allowed under §112.7(a)(2); Impracticability determination under §112.7(d) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| 112.6(b)(4) | <ul style="list-style-type: none"> For each environmentally equivalent measure, the Plan is accompanied by a written statement by the PE that describes: the reason for nonconformance, the alternative measure, and how it offers equivalent environmental protection in accordance with §112.7(a)(2); For each secondary containment impracticability determination, the Plan explains the reason for the impracticability determination and provides the alternative measures to secondary containment required in §112.7(d) | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| | AND | |
| (i) | PE certifies in the Plan that: | |
| (A) | He/she is familiar with the requirements of 40 CFR Part 112 | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (B) | He/she or a representative agent has visited and examined the facility | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| (C) | The alternative method of environmental equivalence in accordance with §112.7(a)(2) or the determination of impracticability and alternative measures in accordance with §112.7(d) is consistent with good engineering practice, including consideration of applicable industry standards, and with the requirements of 40 CFR Part 112. | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Comments: | | |

¹⁸ Note that only the person certifying the Plan can make the site visit

ATTACHMENT E: ADDITIONAL COMMENTS

**FRP/SPCC Reconnaissance
Data Sheet**

out cc Tulsa, OK

Lusan
CP #
20385

| | | | |
|--|--|------------------------------|------------------------------------|
| Company/Facility Name: <u>Hughes TB. New Dominion, LLC</u> | | | |
| Physical Address: <u>S/2 SW 24-17N-1E</u> | | City: <u>Perkins</u> | State: <u>OK</u> Zip: <u>74559</u> |
| Latitude: <u>35.92888</u> | | Longitude: <u>-97.15642</u> | |
| Mailing Address: | | City: | State: Zip: |
| Contact Name: | | Phone #: <u>405-567-3034</u> | Phone #: |
| E-Mail Address: | | | |
| WWW Address: <u>www.</u> | | | |
| Type of facility: Bulk Storage <input type="checkbox"/> Production <input type="checkbox"/> Offshore <input type="checkbox"/> | | | |
| Is the facility: Active <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Abandoned <input type="checkbox"/> Other <input type="checkbox"/> | | | |
| Sig/sub <input type="checkbox"/> Sub Harm <input type="checkbox"/> SPCC only <input checked="" type="checkbox"/> DOT/MMS regulated <input type="checkbox"/> Not regulated <input type="checkbox"/> | | | |
| If active, does the facility maintain a Facility Response Plan? Yes <input type="checkbox"/> No <input type="checkbox"/> | | | FRP-06- - |
| What is the oil storage capacity of the facility? | | | SARTS#- - |
| Caller Name: | | Date: / / | Time: |
| Message Left Via: Voicemail <input type="checkbox"/> OR Employee Name: | | | |
| Call Returned: | | Date: / / | Time: |
| Comments. <u>Heavy</u> <u>no load line cont, vegetation on dike, water</u> <u>in berm on East side.</u> <u>for Hughes #4-D & Hughes #3 well,</u> <u>B CRTS ad ad joint sep @</u> <u>Perkins, OK ins well w/ no cont</u> | | | |
| Inspector Name: <u>Tom McKay</u> | | Recon Date: <u>11/10/15</u> | |

*Chris
Gardner
on 11/10/15*

*ad Luther Rd & CRTS
Lusan cc CRTS
35.927572
-97.15641*

Instructions

- Please type or print using black ink.
- Form must be signed by former operator and new operator
- Outline boundaries of lease and spot well being transferred.
- Attach 1002A for well
- Questions should be directed to Well Records (405) 521-2275

OKLAHOMA CORPORATION COMMISSION

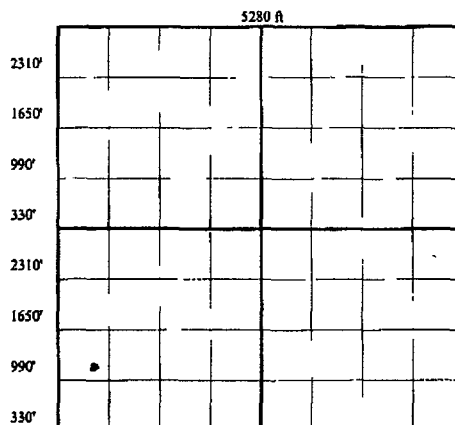
Oil & Gas Conservation Division
Post Office Box 52000
Oklahoma City, OK 73152-2000

402240603

Form 1073
Rev 2001

Transfer of Operator
OAC 165:10-1-15

| | | | |
|---|--|-----------------------------|-----------------|
| API No 083-23601 | | OTC Prod Unit No Pending | |
| Location SE 1/4 NW 1/4 SW 1/4 SW 1/4 | | Sec 24 | Twp 17N |
| Ft FSL of Qtr Sec 690 | | Ft FWL of Qtr Sec 474 | County Logan |
| Current Well Name/No Hughes #4-D | | | |
| Original Well Name/No | | | |
| Unit Name (if applicable) | | | |



Locate Well On Grid Above

Well Class: ☒ Oil ☐ Gas ☐ Dry ☐ Plugged

| | |
|--|-----------------|
| Producing formation(s) 2nd Wilcox | |
| Oil Transporter/Purchaser SUNOCO Partners M & T, LP | OTC No 21108 |
| Gas Measurer | OTC No. |

The effective date of transfer of this well for the purposes of Commission records, is the date the transfer is approved by the Commission.

CURRENT OPERATOR

| | | | |
|--|------------------------|-----------------|--|
| Name DPC Corporation | | OCC No 20131 | |
| Address 111 West Fifth Street, Suite 1000 | | | |
| City Tulsa | State OK | Zip 74103 | |
| Phone No 918-587-6242 | FAX No 918-587-9250 | | |
| I verify that I am the legal operator of record with authority to transfer ownership of this well. | | | |
| Signature <i>Janet McGhee</i> | | | |
| Name & Title (Typed or Printed) Janet McGhee, Manager of Production | | | |
| Signed and sworn to before me this <u>23rd</u> day of <u>February</u> 2004 | | | |
| Notary Public <i>William L. Johnson</i> | | | |
| My commission expires <u>7-21-04</u> | | | |

NEW OPERATOR

| | | | |
|---|------------------------|-----------------|--|
| Name New Dominion, L.L.C. | | OCC No 20585 | |
| Address 111 West Fifth Street, Suite 1000 | | | |
| City Tulsa | State OK | Zip 74103 | |
| Phone No 918-587-6242 | FAX No 918-587-9250 | | |
| Being the new operator, as of the effective date and time of transfer accept the facts presented as being true and correct and accept the operational responsibility for the well on the described property | | | |
| Signature <i>Jody G. Garrett-Burns</i> | | | |
| Name & Title (Typed or Printed) Jody G. Garrett-Burns, Land Manager | | | |
| Signed and sworn to before me this <u>23rd</u> day of <u>February</u> 2004 | | | |
| Notary Public <i>William L. Johnson</i> | | | |
| My commission expires <u>7-21-04</u> | | | |

I verify under oath that I have exercised due diligence in attempting to locate the current operator of record according to OCC records, who has abandoned the above well/lease and cannot be located to obtain signature. I have attached a copy of the certified recorded assignment of lease.

Signature

Signed and sworn to before me this _____ day of _____

My commission expires _____

Notary Public

FOR OCC USE ONLY

Surety Dept. ☒ Approved ☐ Rejected Date APR 12 2004

Well Records Dept. ☒ Approved ☐ Rejected Date APR 13 2004

APR 13 2004

WDMS

NOTE: By processing this Form 1073, the Oklahoma Corporation Commission has approved the contents thereof as to form only. Oklahoma Corporation Commission does not warrant that the facts provided by the operator are true. Form is not approved until approved by Well Records.

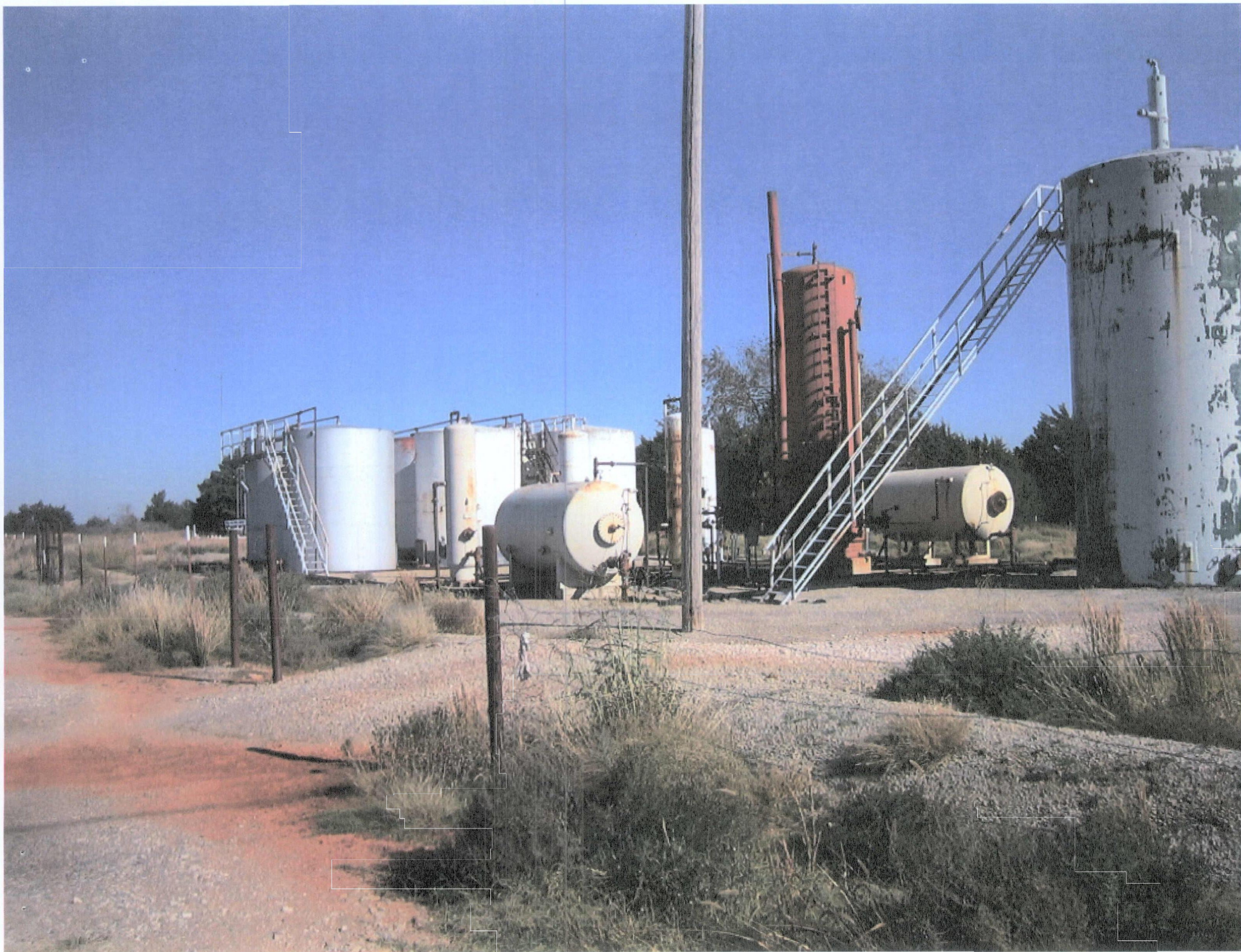
NEW DOMINION, L.L.C.

405.567.3 034 Tulsa, 55 CC No. 20585

HUGHES TANK BATTERY

S/2 SW SEC. 24-17N-1E

LOGAN COUNTY, OK.













NOTICE OF SPCC INSPECTION
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6


| | | |
|--|--|---|
| Date 1/5/2016 | Lead Inspector (Print Name & Sign) Tom McKay <i>Tom McKay</i> | Inspection Number SPCC-OK-2016-00039 |
| Additional Inspectors. | | |
| Facility Name: Hughes Tank Bottom | Facility Address 550 County Road 75 | Facility Type Onshore oil production |
| Facility Phone. 905-245-2150 | Facility Email. tom.chernick@newdowdion.com | Facility Fax N/A |
| <p>The purpose of today's inspection is to determine compliance with Section 311 of the Clean Water Act (the "Act"), 33 U.S.C. § 1321, and the Oil Pollution Prevention regulations found at 40 C.F.R. Part 112 (the "Regulations"). The scope of the inspection and plan review process may include, but is not limited to, reviewing and obtaining copies of documents and records, interviewing facility personnel, a physical inspection of the facility (including process areas), taking photographs or video, collecting samples, and other activities necessary to determine compliance with the Act and the regulations.</p> <p>Please review this Notice of SPCC Inspection ("Notice") carefully. Note that any deficiencies identified by the inspector and communicated to you during the closing conference are the inspector's observations and not a determination of compliance.</p> <p>Please be advised that any noncompliance with the Regulations may constitute a violation under the Act for which penalties or other relief may be sought. Penalties may be assessed upon subsequent findings by the Administrator or a court that the facility has violated the Act and/or the regulations. The United States Environmental Protection Agency ("EPA") reserves its right to initiate an enforcement action under the Act and any other applicable law, to seek penalties and other appropriate relief, for any violation of the Act, the Regulations, or such other laws. This Notice and other relevant information will be reviewed by appropriate EPA personnel to determine if any deficiencies, identified in such review, constitute violations of the Act and the Regulations and whether an enforcement action is appropriate. EPA will provide written correspondence describing any deficiencies identified during the inspection.</p> <p>If deficiencies with the Regulations were identified during the inspection and communicated to you during the closing conference, you are urged to correct such deficiencies as soon as possible. EPA requests you submit all information, as soon as possible, evidencing your correction of the deficiencies to:</p> <p style="text-align: center;">Inspector Tom McKay U.S. Environmental Protection Agency – Region 6 (6SF-PO) 1445 Ross Avenue, Dallas, TX 75202</p> <p>If it is not feasible to correct the deficiencies within 30 days of the date of the inspection, immediately submit a detailed explanation and schedule indicating by when the noted deficiencies will be corrected. If you believe that your facility is not required to have an SPCC Plan, or is in compliance with the SPCC regulatory requirements, submit an explanation, supported by documentation, as to why the facility is not subject to the SPCC provision of the Oil Pollution Prevention regulations at 40 C.F.R. Part 112 or meets its requirements within 30 days of the date of the inspection.</p> <p style="text-align: center;">Confidential Business Information</p> <p>For the information submitted to EPA, you may be entitled to claim it as Confidential Business Information (CBI) pursuant to the regulations set forth in 40 C.F.R. Part 2. If EPA determines the information you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 C.F.R. Part 2 Subpart B. Unless CBI is claimed, EPA may make the information available to the public without further notice to you.</p> | | |
| Acknowledgement of Inspection | | |
| Signature of Facility Representative: <i>Thomas Chernicky</i> THOMAS CHERNICKY | | |
| Title of Facility Representative: NEW DOWDION, LLC EHS REP. | | |

R6-OK-01236

Spill Prevention Control and Countermeasure Inspection Findings, Alleged Violations, and Proposed Penalty Form

(Note Do not use this form if there is no secondary containment)

These Findings, Alleged Violations and Penalties are issued by EPA Region 6 under the authority vested in the Administrator of EPA by Section 311(b)(6)(B)(I) of the Clean Water Act, as amended by the Oil Pollution Act of 1990

| | | | |
|---------------|----------|------------------------|---|
| Company Name | | Docket Number |  |
| | | | |
| Facility Name | | Date | |
| | | | |
| Address | | Inspection Number | |
| | | SPCC- | |
| City | | Inspectors Name | |
| | | Tom McKay | |
| State | Zip Code | EPA Approving Official | |
| | | Chris Ruhl | |
| Contact | | Enforcement Contacts | |
| | | Monica Smith | |

Summary of Findings

(Onshore Oil Production Facilities)

GENERAL TOPICS: 112.3(a),(d),(e); 112.5(a), (b), (c); 112.7 (a), (b), (c), (d)

(When the SPCC Plan review penalty exceeds \$1,500 00 enter only the maximum allowable of \$1,500 00)

- | | | |
|-------------------------------------|---|------------|
| <input checked="" type="checkbox"/> | No Spill Prevention Control and Countermeasure Plan- 112 3..... | \$1,500 00 |
| <input type="checkbox"/> | Plan not certified by a professional engineer- 112 3(d) | 450.00 |
| <input type="checkbox"/> | Certification lacks one or more required elements- 112 3(d)(1) | 100.00 |
| <input type="checkbox"/> | No management approval of plan- 112 7. | 450.00 |
| <input type="checkbox"/> | Plan not maintained on site (if facility is manned at least 4 hrs/day) or not available for review- 112 3(e)(1) | 300.00 |
| <input type="checkbox"/> | No evidence of five-year review of plan by owner/operator- 112 5(b) | 75.00 |
| <input type="checkbox"/> | No plan amendment(s) if the facility has had a change in design, construction, operation, or maintenance which affects the facility's discharge potential- 112 5(a) | 75 00 |
| <input type="checkbox"/> | Amendment(s) not certified by a professional engineer- 112 5(c) | 150 00 |

| | | |
|--------------------------|--|--------|
| <input type="checkbox"/> | Plan does not follow sequence of the rule and/or cross-reference not provided- 112 7 | 150 00 |
| <input type="checkbox"/> | Plan does not discuss additional procedures/methods/equipment not yet fully operational- 112 7 | 75.00 |
| <input type="checkbox"/> | Plan does not discuss alternative environmental protection to SPCC requirements- 112 7(a)(2) | 200.00 |
| <input type="checkbox"/> | Plan has inadequate or no facility diagram- 112 7(a)(3) | 75.00 |
| <input type="checkbox"/> | Inadequate or no listing of type of oil and storage capacity layout of containers- 112 7(a)(3)(i) | 50.00 |
| <input type="checkbox"/> | Inadequate or no discharge prevention measures- 112 7(a)(3)(ii) | 50.00 |
| <input type="checkbox"/> | Inadequate or no description of drainage controls- 112 7(a)(3)(iii) | 50.00 |
| <input type="checkbox"/> | Inadequate or no description of countermeasures for discharge discovery, response and cleanup- 112 7(a)(3)(iv) | 50.00 |
| <input type="checkbox"/> | Recovered materials not disposed of in accordance with legal requirements- 112 7(a)(3)(v) | 50.00 |
| <input type="checkbox"/> | No contact list & phone numbers for response & reporting discharges- 112 7(a)(3)(vi) | 50.00 |
| <input type="checkbox"/> | Plan has inadequate or no information and procedures for reporting a discharge- 112 7(a)(4) | 100.00 |
| <input type="checkbox"/> | Plan has inadequate or no description and procedures to use when a discharge may occur- 112 7(a)(5) | 150.00 |
| <input type="checkbox"/> | Inadequate or no prediction of equipment failure which could result in discharges- 112 7(b) | 150.00 |
| <input type="checkbox"/> | Plan does not discuss and facility does not implement appropriate containment/diversionary structures/equipment- (including truck transfer areas) 112 7(c) | 400.00 |

- If claiming impracticability of appropriate containment/diversionary structures:

| | | |
|--------------------------|---|--------|
| <input type="checkbox"/> | Impracticability has not been clearly denoted and demonstrated in plan- 112 7(d) | 100.00 |
| <input type="checkbox"/> | No contingency plan- 112 7(d)(1) | 150.00 |
| <input type="checkbox"/> | No written commitment of manpower, equipment, and materials- 112 7(d)(2) | 150.00 |
| <input type="checkbox"/> | No periodic integrity and leak testing , if impracticability is claimed - 112 7(d) | 150.00 |
| <input type="checkbox"/> | Plan has no or inadequate discussion of general requirements not already specified- 112.7(a)(1) | 75.00 |

QUALIFIED FACILITY REQUIREMENTS: 112.6

| | | |
|--------------------------|--|--------|
| <input type="checkbox"/> | Qualified Facility No Self certification- 112 6(a) | 450 00 |
| <input type="checkbox"/> | Qualified Facility: Self certification lacks required elements- 112 6(a) | 100 00 |
| <input type="checkbox"/> | Qualified Facility: Technical amendments not certified- 112 6(b) | 150 00 |
| <input type="checkbox"/> | Qualified Facility Un-allowed deviations from requirements- 112 6(c) | 100.00 |
| <input type="checkbox"/> | Qualified Facility Environmental Equivalence or Impracticability not certified by PE- 112 6(d) | 350 00 |

WRITTEN PROCEDURES AND INSPECTION RECORDS 112.7(e)

- ☐ The Plan does not include inspections and test procedures in accordance with 40 CFR Part 112 - 112 7(e) 75.00
- ☐ Inspections and tests required by 40 CFR Part 112 are not in accordance with written procedures developed for the facility- 112.7(e).. 75.00

☒ No Inspection records were available for review - 112 7(e).....200.00

Written procedures and/or a record of inspections and/or customary business records:

- ☐ Are not signed by appropriate supervisor or inspector- 112 7(e).... 75.00
- ☐ Are not maintained for three years- 112 7(e) 75.00

PERSONNEL TRAINING AND DISCHARGE PREVENTION PROCEDURES 112.7(f)

- ☐ No training on the operation and maintenance of equipment to prevent discharges- 112 7(f)(1)..... 75.00
- ☐ No training on discharge procedure protocols- 112 7(f)(1) 75.00
- ☐ No training on the applicable pollution control laws, rules, and regulations- 112 7(f)(1)..... 75.00
- ☒ Training records not maintained for three years- 112 7(f). 75.00
- ☐ No training on the contents of the SPCC Plan- 112 7(f)(1) 75.00
- ☐ No designated person accountable for spill prevention- 112 7(f)(2) 75.00
- ☐ Spill prevention briefings are not scheduled and conducted periodically- 112 7(f)(3)..... 75.00
- ☐ Plan has inadequate or no discussion of personnel and spill prevention procedures- 112 7(f) .. 75.00

FACILITY TANK CAR AND TANK TRUCK LOADING/UNLOADING 112.7(c) and/or (h-j)

- ☒ Inadequate containment for Loading Area (not consistent with 112.7(c)) - 112 7(c).400.00
- ☐ Inadequate secondary containment, and/or rack drainage does not flow to catchment basin, treatment system, or quick drainage system- 112.7(h)(1).... 750.00
- ☐ Containment system does not hold at least the maximum capacity of the largest single compartment of any tank car or tank truck- 112 7(h)(1).. . . . 450.00
- ☐ There are no interlocked warning lights, or physical barrier system, or warning signs, or vehicle brake interlock system to prevent vehicular departure before complete disconnect from transfer lines- 112 7(h)(2)... 300.00
- ☐ There is no inspection of lowermost drains and all outlets prior to filling and departure of any tank car or tank truck- 112 7(h)(3) 150.00
- ☐ Plan has inadequate or no discussion of facility tank car and tank truck loading/unloading rack -112 7(j) 75.00

QUALIFIED OIL OPERATIONAL EQUIPMENT 112.7(k)

- | | | |
|--------------------------|---|--------|
| <input type="checkbox"/> | Failure to establish and document procedures for inspections or a monitoring program to detect equipment failure d/or a discharge- 112 7(k)(2)(i) | 150 00 |
| <input type="checkbox"/> | Failure to provide an oil spill contingency plan- 112 7(k)(2)(ii)(A) | 150 00 |
| <input type="checkbox"/> | No written commitment of manpower, equipment, and materials- 112 7(k)(2)(ii)(B) | 150 00 |

OIL PRODUCTION FACILITY DRAINAGE 112.9(b)

- | | | |
|--------------------------|--|--------|
| <input type="checkbox"/> | Drains for the secondary containment systems at tank batteries and separation and central treating areas are not closed and sealed at all times except when uncontaminated rainwater is being drained- 112.9(b)(1) | 600 00 |
| <input type="checkbox"/> | Prior to drainage of diked areas, rainwater is not inspected, valves opened and resealed under responsible supervision and records kept of such events- 112 9(b)(1) | 450.00 |
| <input type="checkbox"/> | Accumulated oil on the rainwater is not removed and returned to storage or disposed of in accordance with legally approved methods- 112 9(b)(1) ... | 300.00 |
| <input type="checkbox"/> | Field drainage system (drainage ditches and road ditches), oil traps, sumps and/or skimmers are not regularly inspected and/or oil is not promptly removed- 112 9(b)(2) | 300.00 |
| <input type="checkbox"/> | Inadequate or no records maintained for drainage events- 112 7 | 75.00 |
| <input type="checkbox"/> | Plan has inadequate or no discussion or procedures for facility drainages- 112 7(a)(1) ... | 75.00 |

OIL PRODUCTION FACILITY BULK STORAGE CONTAINERS 112.9(c)

- | | | |
|-------------------------------------|---|--------|
| <input type="checkbox"/> | Plan has inadequate or no risk analysis and/or evaluation of field-constructed aboveground tanks for brittle fracture- 112 7(i) .. | 75 00 |
| <input type="checkbox"/> | Failure to conduct evaluation of field-constructed aboveground tanks for brittle fracture- 112 7(i) | 300 00 |
| <input type="checkbox"/> | Container material and construction are not compatible with the oil stored and the conditions of storage- 112 9(c)(1). | 450.00 |
| <input checked="" type="checkbox"/> | Size of secondary containment appears to be inadequate for containers and treating facilities- 112.9(c)(2) ... | 750.00 |
| <input type="checkbox"/> | Excessive vegetation which affects the integrity of the containment- 112 9(c)(2) | 150.00 |
| <input type="checkbox"/> | Walls of containment system are slightly eroded or have low areas- 112 9(c)(2) ... | 300.00 |
| <input type="checkbox"/> | Secondary containment materials are not sufficiently impervious to contain oil- 112 9(c)(2) ... | 375.00 |
| <input type="checkbox"/> | Visual inspections of containers, foundation and supports are not conducted periodically for deterioration and maintenance needs- 112 9(c)(3) | 450.00 |

- ☐ Bank battery installations are not in accordance with good engineering practice because none of the following are present- 112 9(c)(4) 450.00
- (1) Adequate tank capacity to prevent tank overflow- 112 9(c)(4)(i), or
 - (2) Overflow equalizing lines between the tanks- 112 9(c)(4)(ii), or
 - (3) Vacuum protection to prevent tank collapse- 112 9(c)(4)(iii), or
 - (4) High level alarms to generate and transmit an alarm signal where facilities are part of a computer control system- 112 9(c)(4)(iv).
- ☐ Plan has inadequate or no discussion of bulk storage tanks- 112 7(a)(1) 75.00

FACILITY TRANSFER OPERATIONS, OIL PRODUCTION FACILITY 112.9(D)

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- ☐ Above ground valves and pipelines are not examined periodically on a scheduled basis for general condition (includes items, such as: flange joints, valve glands 2nd bodies, drip pans, pipeline supports, bleeder and gauge valves, polish rods/stuffing box)- 112 9(d)(1) 450.00
- ☐ Brine and saltwater disposal facilities are not examined often- 112 9(d)(2) 450.00
- ☐ Inadequate or no flowline maintenance program (includes: examination, corrosion protection, flowline replacement)- 112 9(d)(3) 450.00
- ☐ Plan has inadequate or no discussion of oil production facilities- 112 7(a)(1) 75.00
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- ☐ Plan does not include a signed copy of the Certification of the Applicability of the Substantial Harm Criteria per 40 CFR Part- 112.20(e) 150.00
(Do not use this if FRP subject, go to traditional enforcement)

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TOTAL \$975.00